INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants would like to direct the Examiner's attention to the following references which are listed below and on Forms PTO/SB/08A and PTO/SB/08B (which are attached hereto as **Exhibit A**), and each individual reference further attached as **Exhibits 1** through **6**. Reference No. 3 is a U.S. Patent and is on file with the United States Patent and Trademark Office (USPTO). Accordingly, Applicants will not provide a copy of this reference unless otherwise requested by the Examiner. Applicants' undersigned attorney's office may be contacted in the event that the Examiner would like a copy of this reference.

1. PCT International Search Report for VION Pharmaceuticals, et al., Int'l Application No. PCT/US2005/010152, Filed March 25, 2005, Dated March 21, 2006 **[Exhibit 1]**

2. LEE, et al., "Toxicological Evaluation of 1,2 Bis(methylsulfonyl)-1-(2-chloroethyl)-2-(methylaminocarbonyl) hydrazine (VNP40101M), a Novel Alkylating Agent with Potential Antitumor Activity, with Intravenous Administration in Rats and Dogs", International Journal of Toxicology, Vol. 21, Pages 23-38 (2002) **[Exhibit 2]**

3. U.S. Patent No. 6,855,695 B2, February 15, 2005, Lin, et al., "Water-Soluble Shps As Novel Alkylating Agents"

4. Ishiguro, et al., "Role of O^6-alkylguanine-DNA alkyltransferase in the cytotoxic activity of clorezatine", Mol Cancer Ther, Vol. 4 (11), Pages 1755-1763 (2005) **[Exhibit 3]**

5. Murren, et al., "A phase I and pharmacokinetic study of VNP40101M, a new alkylating agent, in patients with advanced or metastatic cancer"., Investigational New Drugs, Vol 23, Pages 123-135 (2005) **[Exhibit 4]**

6. Giles, et al., "A Phase I and Pharmacokinetic Study of VNP40101M, a Novel Sulfonylhydrazine Alkylating Agent, in Patients with Refractory Leukemia", Clinical Cancer Research, Vol. 10, Pages 2908-2917 (2004) **[Exhibit 5]**

7. Rice, et al., "Differential inhibition of cellular glutathione reductase activity by isocyanates generated from the antitumor prodrugs Cloretazine™ and BCNU", Biochemical Pharmacology, Vol. 69, Pages 1463-1472 (2005) **[Exhibit 6]**

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Preliminary Amendment and Information Disclosure Statement. However, if additional fees are required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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15 SEP 2006

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	Not Yet Known
Filing Date	Herewith
First Named Inventor	King, et al.
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	891-A-PCT-US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6,855,695 B2	02-15-2005	Lin, et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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10/593217

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known	
Application Number	Not Yet Known
Filing Date	Herewith
First Named Inventor	King, et al.
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	891-A-PCT-US

OTHER PRIOR ART–NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	1	PCT International Search Report for VION Pharmaceuticals, et al., Int'l Application No. PCT/US2005/010152, Filed March 25, 2005, Dated March 21, 2006	
	2	LEE, et al., "Toxicological evaluation of 1,2 bis("methylsulfonyl)-1-(2-chloroethyl)-2 (methylaminocarbonyl) hydrazine (VNP40101M), novel alkylating Agent with Potential Antitumor Activity, with Intravenous Administration in Rats and Dogs"., International Journal of Toxicology, Vol. 23, Pages 23-39 (2002)	
	3	Ishiguro, et al., "Role of 0-alkylguanine-DNA alkyltransferase in the cytotoxic activity of clorezatine", Mol Cancer Ther, Vol. 4 (11), Pages 1755-1763 (2005)	
	4	Murren, et al., "A phase I and pharmacokinetic study of VNP40101M, a new alkylating agent, in patients with advanced or metastatic cancer"., Investigational New Drugs, Vol 23, Pages 123-135 (2005)	
	5	Giles, et al., "A Phase I and Pharmacokinetic Study of VNP40101M, a Novel Sulfonylhydrazine Alkylating Agent, in Patients with Refractory Leukemia.", Clinical Cancer Research, Vol. 10, Pages 2908-2917 (2004)	
	6	Rice, et al., "Differential inhibition of cellular glutathione reductase activity by isocyanates generated from the antitumor prodrugs Cloretazine and BCNU." , Biochemical Pharmacology, Vol. 69, Pages 1463-1472 (2005)	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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